IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

PIL WRIT PETITION NO.123 OF 2003

Digambar R Dawari and ors ..Petitioners

vs

The State of Maharashtra and ors ..Respondents

Mr. Amol Deshpande i/b P.B. Shaligram for petitioners
Ms J.S. Pawar Addl Govt Pleader for State
Mr. K.K. Singhvi for respondent no. 3

Writ Writ Petition Nos 6310 of 2003, 9179 of 2003 and 658 of 2004,

CORAM: SWATANTER KUMAR, C.J., &
S.C.DHARMADHIKARI, J.
Dated: 7th June 2007

P.C.:

The learned counsel for the State states that in furtherance of the order dated 12.4.2007, proceedings have been initiated and report of the authority is awaited and the authority will complete the proceeding and pass appropriate orders within two weeks from today.

The learned counsel for the Corporation submits that that the restrictions imposed in the said order may now be vacated in as much as the action of respondent no. 3 is in the nature of legislative rather than administrative. Be that as it may. We do not propose to comment on this issue at this stage as we are disposing of these petitions with a

direction to the State Government to pass appropriate order in accordance with law within two weeks from today and the petitioners would be at liberty to challenge the same in accordance with law. The Government shall abide by the statement made before this court.

Petitions are disposed of while leaving the parties to bear their own costs.

CHIEF JUSTICE

S.C.DHARMADHIKARI, J.